REMARKS/ARGUMENTS

Reconsideration of this application, as amended, is respectfully requested. Certain typographical and grammatical errors have been corrected in the specification and in claims 3 and 19; no new matter is added by these amendments.

Claims 1-20 are patentable over Wistendahl et al. (U.S. Patent No. 6,496,981), which discusses a system for allowing media content to be used in interactive media programs (col. 2, ll 35-39). In particular, Wistendahl describes a mechanism to convert media content for interactive TV use without locking it in to any particular delivery system or display platform (see, e.g., col. 2, ll. 39-43). This is accomplished by separating object mapping data, representing the display locations of corresponding interactive objects, from media content data. The media content is thus kept intact and uncorrupted by any embedded special codes, making it deliverable and displayable on any media delivery system or display platform (col. 2, l. 66 - col. 3, l. 5).

> To anticipate a claim, the reference must teach every element of the claim. That is, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

In the present case, Wistendahl does not describe a system including "each and every element as set forth on the claims" and, therefore, the claims are patentable over this reference.

To better understand this conclusion, consider first that independent claims 1 and 6 each substantially include the feature of tagging interactive TV content with one or more keys or personalization data; and transmitting the tagged interactive TV enhancement to one or more receivers such that the receivers are to output or make use of selectively the interactive content based on the keys or personalization data. Likewise, independent claims 11 and 13 include the features of tagging interactive TV content with one or more keys or personalization data and outputting selectively interactive content based on the keys or personalization data. Independent claim 15 includes the feature of checking tagged keys or personalization data associated with received interactive TV content and displaying the interactive TV content if the checked keys or personalization data match with delivered keys or personalization data. Finally, independent claim 16 also recites a personalization server to tag the interactive content with one or more keys and/or personalization data and a distribution system to deliver matching keys and/or personalization data to one or more receivers.

In contrast, Wistendahl merely discusses, tagging of objects to make them interactive *without embedding any proprietary or platform-dependent codes in the media content* (see Wistendahl at col. 6,

10

ll. 53-57). In other words, the tagging described by Wistendahl does not involve personalization data; instead, such tags merely mark interactive content for making the content interactive in a platform-independent way. There is no teaching or suggestion to personalize the interactive content as recited in the methods and systems presently claimed.

This distinction is further exemplified if one considers just what gets transmitted to set top box receivers in Wistendahl's system. In that case, what is so transmitted is media content data and object mapping data for interactive objects ("hot spots") (Wistendahl at col. 3, ll. 32-37). The set top box processor uses the object mapping data to highlight the display of interactive objects appearing in the TV content (Id. at col. 3, ll. 59-63). In other words the keyed data is just used to create hot spots and not for filtration and personalization of interactive content on per-receiver basis. Stated differently, because there is no provision in Wistendahl for including personalization data in the manner presently claimed, there is no corresponding provision for the receivers to selectively filter and display interactive content based on such keys or personalization data. Thus, Wistendahl does not disclose transmitting the tagged interactive TV enhancement to one or more receivers such that the receivers are to <u>output or make use of selectively the interactive content based on the keys or personalization data.</u>
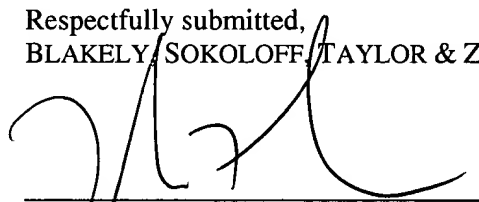
To summarize, because Wistendahl does not teach, either expressly or inherently, every aspect of independent claims 1, 6, 11, 13, 15, 16, these claims are not anticipated by the cited art. As a dependent claim is deemed to include the limitations of a claim from which it depends, the arguments presented above also address the rejections against the dependent claims, and withdrawal of these rejections is respectfully requested.

If there are any additional fees due in connection with this communication, please charge our deposit account no. 02-2666.

Respectfully submitted,
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Dated: _____, 2005

Tarek N. Fahmi
Reg. No. 41,402

12400 Wilshire Blvd., 7th Flr.
Los Angeles, CA 90025-1026
(408) 947-8200

11